

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

United States Courts
Southern District of Texas
FILED

MAY 09 2008

Michael N. Milby, Clerk of Court

UNITED STATES OF AMERICA

V.

ERNESTO TIJERINA,
PETITIONER

CASE NO. #2:00 CR-00260-001

MOTION FOR RECOMMENDATION FOR HOME CONFINEMENT
FOR FINAL 6 TO 8 MONTHS OF SENTENCE

The Petitioner, Ernesto Tijerina, appeals to this Honorable Court for a recommendation to the Bureau of Prisons for the Defendant to serve the final 6 to 8 months of his sentence in home confinement before the completion of 6 months in a halfway house in accordance with the provisions of 18 U.S.C. 3621(b).

The Petitioner, Ernesto Tijerina, would respectfully refer this Honorable Court to a recent ruling in the United States Courts of Appeal, Elwood vs. Jeter 386 F 3d 842, in which Elwood sought and was granted relief in a similar case.

The petitioner would like to submit the following in support for this motion:

Petitioner has maintained clear conduct as of 2004, has been programming, has been attending vocational training courses and self-development groups.

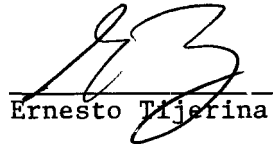
The Petitioner will be also enrolling in the 500 hour Residential Drug Treatment Program as recommended by this Honorable Court.

Petitioner is a non-violent offender who has been incarcerated since July 15, 2000 and poses no threat to society.

Petitioner has lost his mother.

Petitioner would like to be home to assume responsibilities with his wife and family and his elderly father.

Therefore, Petitioner, Ernesto Tijerina, urges this Honorable Court for a Recommendation to the Bureau of Prisons to be placed in home confinement for the final 6 to 8 months of his sentence.



Ernesto Tijerina, Petitioner, Pro Se

Ernesto Tijerina #66852-079
F.C.I.-Waseca
P.O. Box 1731
Waseca, MN 56093

Cover Page!

Second Chance

Law of 2007-2008

for Home Confinement

After Release from B.O.P.

Please!

①

~~800~~

In Accordance to The Second Chance Law
Case # 2:00CR00260-00/
For Retrence:

See Document here in Attached
from Federal Bureau of Prisons You all
Dear Honorable Judge Mr. Hyden
Head JR might be able to get the
document from F.B.I. in Mcallen
Tx. thats in my Federal Bureau of
Prisons Central file! The reason
I'm writing is to try and get your
courts consideration to please
consider me for Home Confinement
on my last 6 to 8 mths after
my Release from Federal Prison!
In my case your Honor The
F.B.I. Put a seperation on me From
T.S. gangs and Valluco gang and Raza
Unida Due to my Past as AN
Informant I have been Assaulted
multiple times by several gang

(2)

members therefore causing me to be sent to prisons far away from my family, and wife and kids I haven't seen my daughter in 8 years since I got arrested and from my present wife I haven't seen my wife and son in 6 years and I am presently Incarcerated at F.C.I. Waseca in ~~Waseca~~ Waseca, Mn. I should be getting around two years short so I'm submitting this motion with plenty of time so I can hopefully get your Courts ~~consideration~~ Consideration for a Recommendation to the B.O.P. for my Placement in home confinement cause I was told by B.O.P. staff that I would have to Release to another Halfway house

(3)

In another state! Due to the fact that there might ~~not~~ be some T.S. or other Individuals in Texas Halfway house. But if I can only get you to consider me for home confinement so I can Reunite with my Kid wife + Family Please! Thanks for your time and Consideration!

Respectfully
Submitted,
Ernesto Tijerina
15/9/08

Please label my legal mail sent to me (open in Inmate-presents only) legal mail
Thank you



U.S. Department of Justice
Federal Bureau of Prisons

North Central Regional Office

400 State Avenue
Tower II, Suite 800
Kansas City, KS 66101

April 25, 2008

Ernesto Tijerina
Register No. 66852-079
Federal Correctional Institution
P.O. 1731
Waseca, MN 56093

Re: Your Information Request No. 05-8277

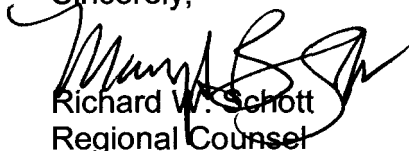
Dear Mr. Tijerina:

On March 28, 2008, this office received your correspondence wherein you narrowed your request to only one document.

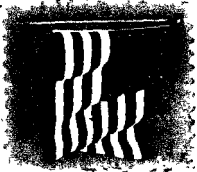
The records located responsive to your request were created by the Federal Bureau of Investigation (FBI) and are under their control. Pursuant to Title 5, United States Code, Section 552(a)(3) and Title 28, Code of Federal Regulations, Section 16.4(f), we have forwarded your request package to this agency. This referral of your information request is in accordance with §552(a)(6)(B)(iii). You should receive a response from this agency in the near future.

If you consider my response to be a denial of this request, you may administratively appeal to the Assistant Attorney General, pursuant to Title 28 Code of Federal Regulations, Section 16.9 or 16.45, by filing a written appeal within 60 days from the date of this letter. Both the appeal letter and face of the envelope should be marked "Freedom of Information Act Appeal," and should be addressed to the Office of Information and Privacy, U.S. Department of Justice, 1425 New York Ave., Suite 11050, Washington, D.C. 20530-0001.

Sincerely,


Richard W. Schott
Regional Counsel

Tigerina Ernesto
Reg# 66852-079
National Correctional Institution Unit C-89-6 Lower
P.O. Box 1731
Mankato, MN 56093



United States Courts
Southern District of Texas
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Michael N. Milby, Clerk of Court

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Clerk of Court

United States District Court

Honorable Judge
Hayden Head JR.
Southern Dist.
of Texas

1133 N. Shoreline Rm. 208
Corpus Christi, Tx. 78401

78401+2042